

No.

CR - 08 00524 RMW RS

E-FILING

UNITED STATES DISTRICT COURT

FILED
2008 AUG 7 6 P 2:00

NORTHERN DISTRICT OF CALIFORNIA

RICHARD W. WIERING
CLERK
U.S. DISTRICT COURT
NO. DIST. OF CA. S.J.

SAN JOSE DIVISION

THE UNITED STATES OF AMERICA

vs.

JESUS CORTEZ-ZENDEJAS and JAZMIN MARIE ROSEL

INDICTMENT

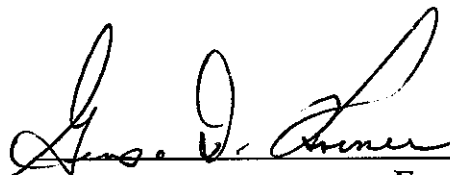
COUNT ONE:

18 U.S.C. § 371 - Conspiracy

COUNT TWO:

18 U.S.C. §§ 2113(a) and (d), and 2 - Armed Bank
Robbery; Aiding and Abetting

A true bill.



Foreperson

Filed in open court this 6 day of August

A.D. 2008


United States Magistrate Judge

Bail. \$ _____

JOSEPH P. RUSSONIELLO (CSBN 44332)
United States Attorney

FILED

2008 AUG -6 P 2:00

E-FILING

RICHARD W. WIEKING
CLERK
U.S. DISTRICT COURT
NO. DIST. OF CA. S.J.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

RMW

CR - 08 00524
No.

UNITED STATES OF AMERICA,

Plaintiff,

v.

JESUS CORTEZ-ZENDEJAS, and
JAZMIN MARIE ROSEL,

Defendants.

VIOLATIONS:

18 U.S.C. § 371 – Conspiracy;
18 U.S.C. §§ 2113 (a) & (d), and 2 – Armed
Bank Robbery; Aiding and Abetting.

SAN JOSE VENUE

RS

INDICTMENT

The Grand Jury charges:

Background:

1. At all times relevant to this Indictment:

a. US Bank, located at 1320 South Main Street, Salinas, California, was a bank, the funds of which were insured by the Federal Deposit Insurance Corporation. US Bank utilized an alarm system that would alert the security control center of a robbery when a bank employee activated the alarm. US Bank also utilized "bait money," that is, currency kept at each bank teller station whose serial numbers were recorded.

b. Defendant JAZMIN MARIE ROSEL was the girlfriend of defendant CORTEZ-

INDICTMENT

1 ZENDEJAS and was employed at US Bank as a teller.

2 c. The bank robbery referred to in the counts below occurred on July 5, 2008, at
3 approximately 7:13 p.m.

4 d. After receiving an alarm notification, the security control center which handled
5 the bank alarm would telephone the branch from Portland, Oregon, to confirm the legitimacy of
6 that alarm.

7 COUNT ONE: (18 U.S.C. § 371 – Conspiracy)

8 2. The factual allegations contained in paragraph 1 above are incorporated herein as if set
9 forth in full.

10 3. On or about a date unknown and continuing to on or about July 5, 2008, in the Northern
11 District of California and elsewhere, the defendants

12 JESUS CORTEZ-ZENDEJAS, and
13 JAZMIN MARIE ROSEL,
14 did knowingly conspire and agree with each other to commit Armed Bank Robbery, in violation
15 of 18 U.S.C. §§ 2113(a) and (d).

16 4. It was part of the conspiracy that the defendants agreed to commit the bank robbery at a
17 time when defendant ROSEL would be working as a teller in US Bank.

18 5. It was further part of the conspiracy that the defendants communicated via text messaging
19 to agree upon the precise time to commence the bank robbery.

20 6. It was further part of the conspiracy that defendant CORTEZ-ZENDEJAS would and did
21 pass the robbery note to defendant ROSEL, who would facilitate the bank robbery in her role as
22 bank teller.

23 7. In furtherance of the agreement and to effect its objects, the defendants committed the
24 following overt acts, among others, in the Northern District of California:

25 a. On or about July 5, 2008, at approximately 6:44:21p.m., defendant ROSEL sent
26 the following text-message to defendant CORTEZ-ZENDEJAS:
27 "I will txt u okay patience its guna be good"

28 b. On or about July 5, 2008, at approximately 7:01:27 p.m., defendant ROSEL sent
the following text-message to defendant CORTEZ-ZENDEJAS:
"five min"

c. On or about July 5, 2008, at approximately 7:01:34 p.m., defendant CORTEZ-
ZENDEJAS sent the following text-message to defendant ROSEL:
"Go now or what is it clear helo"

- d. On or about July 5, 2008, at approximately 7:01:55 p.m., defendant CORTEZ-ZENDEJAS sent the following text-message to defendant ROSEL:
"5 min wat"
- e. On or about July 5, 2008, at approximately 7:04:42 p.m., defendant CORTEZ-ZENDEJAS sent the following text-message to defendant ROSEL:
"Now?"
- e. On or about July 5, 2008, at approximately 7:05:51p.m., defendant ROSEL sent the following text-message to defendant CORTEZ-ZENDEJAS:
"Two min"
- f. On or about July 5, 2008, at approximately 7:06:22 p.m., defendant ROSEL sent the following text-message to defendant CORTEZ-ZENDEJAS:
"Cum in duh"
- g. On or about July 5, 2008, at approximately 7:06:45 p.m., defendant CORTEZ-ZENDEJAS sent the following text-message to defendant ROSEL:
"K text me wen u ready just txt n i go"
- h. On or about July 5, 2008, defendant ROSEL knowingly gave an untrue "false alarm" code in response to the security division's telephone inquiry.
- i. On or about July 5, 2008, defendant ROSEL labeled the bait money prior to the robbery.

All in violation of Title 18, United States Code, Section 371.

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1 COUNT TWO: (18 U.S.C. §§ 2113(a) and (d), and 2-- Armed Bank Robbery, Aiding and
2 Abetting)

3 8. On or about July 5, 2008, in the Northern District of California, the defendants

4 JESUS CORTEZ-ZENDEJAS, and
5 JAZMIN MARIE ROSEL,

6 did, by force, violence, and intimidation, take from the persons and presence of an employee of
7 the US Bank, approximately \$21,326.25 in monies belonging to and in the care, custody, control,
8 management, and possession of that bank, the funds of which were then insured by the Federal
9 Deposit Insurance Corporation; and further, that in committing that offense put in jeopardy the
10 life of any person by the use of a dangerous weapon.

11 All in violation of Title 18, United States Code, Sections 2113(a) and (d), and 2.


12 DATED: 08/06/08

13 A TRUE BILL.

14 FOREPERSON

15 JOSEPH P. RUSSONIELLO
16 United States Attorney

17 MATTHEW A. PARRELLA
18 Chief, San Jose Division

19 (Approved as to form: )

20 SAUSA Mandell

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURTBY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING**OFFENSE CHARGED**COUNT ONE: Title 18 United States Code,
Section 371 - Conspiracy; COUNT TWO: 18
U.S.C. §§ 2113 (a) and (d) - Armed Bank
Robbery☐ Petty
☐ Minor
☐ Misdemeanor
☒ Felony**E-FILING****PENALTY:**Count One: 5 years imprisonment, \$250K fine, 3 years TSR
\$100.00 SAFCount Two: 25 years imprisonment, \$250K fine, 3 years TSR
\$100.00 SAF**PROCEEDING**

Name of Complainant Agency, or Person (& Title, if any)

S/A Douglas C. Turner-F.B.I.

☐ person is awaiting trial in another Federal or State
Court, give name of court☐ this person/proceeding is transferred from another
district per (circle one) FRCrP 20, 21 or 40. Show
District☐ this is a reprosecution of
charges previously dismissed
which were dismissed on
motion of:☐ U.S. Att'y ☐ Defense☐ this prosecution relates to a
pending case involving this same
defendant☒ prior proceedings or appearance(s)
before U.S. Magistrate regarding
this defendant were recorded underSHOW
DOCKET NO.MAGISTRATE
CASE NO.

08-70450

Name and Office of Person
Furnishing Information on
THIS FORM

JOSEPH P. RUSSONIELLO

☒ U.S. Att'y ☐ Other U.S. AgencyName of Asst. U.S. Att'y
(if assigned)

SAUSA CHAD MANDELL

Name of District Court, and/or Judge/Magistrate Location
NORTHERN DISTRICT OF CALIFORNIA

DEFENDANT AUG 6 P 2:00

JESUS CORREA
CLERK
U.S. DISTRICT COURT
NO. DIST. OF CA. S.J.**RMW****CR - 08 00524****RS****DEFENDANT****IS NOT IN CUSTODY**

- 1) ☐ Has not been arrested, pending outcome this proceeding.
If not detained give date any prior summons
was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

IS IN CUSTODY

- 4) ☒ On this charge
- 5) ☐ On another conviction
- 6) ☐ Awaiting trial on other charges } ☐ Fed'l ☐ State

If answer to (6) is "Yes", show name of institution

Has detainer
been filed? ☐ Yes ☐ No } If "Yes"
give date
filed**DATE OF
ARREST**

Month/Day/Year

7/5/2008

Or... if Arresting Agency & Warrant were not

**DATE TRANSFERRED
TO U.S. CUSTODY**

Month/Day/Year

7/21/2008

☐ This report amends AO 257 previously submitted**ADDITIONAL INFORMATION OR COMMENTS****PROCESS:**☐ SUMMONS ☒ NO PROCESS*☐ WARRANT Bail Amount: _____

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address: _____

*Where defendant previously apprehended on complaint, no new summons
or warrant needed, since Magistrate has scheduled arraignment

Date/Time: _____

Before Judge: _____

Comments: Both Defendant's are scheduled to appear before Magistrate Judge Patricia V. Trumbull on Monday, August 4, 2008, at 2:00pm